

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

**TED BORGER,  
Plaintiff**

**v.**

**SAFECO INSURANCE COMPANY OF  
INDIANA AND ASHLEY RICHARDS,  
Defendants**

§  
§  
§  
§  
§  
§  
§

**CIVIL ACTION NO. 1:16-cv-1140**

**NOTICE OF AGREEMENT ON REMAND**

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

COME NOW Plaintiff, Ted Borger and Defendants Safeco Insurance Company of Indiana and Ashley Richards respectfully showing the Court the following:

1. Defendant Safeco Insurance Company of Indiana removed this case to this Court on October 13, 2016.
2. On November 14, 2016, Plaintiff filed his Motion to Remand.
3. The parties have reached an agreement to remand this case to the 353<sup>rd</sup> Judicial District Court of Travis County, Texas, where the action was originally filed.
4. An Agreed Order Granting Plaintiff's Motion to Remand is filed herewith.

WHEREFORE, PREMISES CONSIDERED, Plaintiff, Ted Borger and Defendants Safeco Insurance Company of Indiana and Ashley Richards, respectfully request that this Court sign the Agreed Order Granting Plaintiff's Motion to Remand and remand this case to the 353<sup>rd</sup> Judicial District Court of Travis County Texas.

Respectfully submitted,

**HANNA & PLAUT, L.L.P.**  
211 East Seventh Street, Suite 6000  
Austin, Texas 78701  
Telephone: (512) 472-7700  
Facsimile: (512) 472-0205

By: /s/ Laura D. Tubbs

Catherine L. Hanna  
State Bar No. 08918280  
Email: [channa@hannaplaut.com](mailto:channa@hannaplaut.com)  
Laura D. Tubbs  
State Bar No. 24052792  
Email: [ltubbs@hannaplaut.com](mailto:ltubbs@hannaplaut.com)

**ATTORNEYS FOR DEFENDANTS**

**CERTIFICATE OF SERVICE**

I hereby certify that on this 6<sup>th</sup> day of December, 2016, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

**Via Facsimile (512) 476-1910**

John C. Kitchens  
Kitchens Law Firm, PC  
2901 Bee Cave Road, Box E  
Austin, Texas 78746  
*Attorney for Plaintiff*

/s/ Laura D. Tubbs

Laura D. Tubbs